

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES HARRY HODSON III,	)	
Petitioner,	)	
	)	
vs.	)	C.A. No. 05-92 ERIE
	)	
MARILYN BROOKS,	)	
Respondent.	)	

RULE AND ORDER

AND NOW, this 18th day of May, 2005, after James Harry Hodson III presented a petition for a writ of habeas corpus,

IT IS ORDERED that the United States Marshal shall make service of this order, together with a copy of the petition, upon the Respondent, the District Attorney of Crawford County, and the Attorney General of the Commonwealth of Pennsylvania.

IT IS FURTHER ORDERED that within twenty days of service of this order, the respondent, and the District Attorney of Crawford County, Pennsylvania shall respond to the allegations of the petition for writ of habeas corpus. The District Attorney shall address all of the following 1) the statute of limitations, 28 U.S.C. § 2254(d)(1)-(2); <sup>1</sup> 2) the exhaustion of state court remedies as required by 28 U.S.C. §§ 2254(b) and Picard v. Connor, 404 U.S. 270 (1971); Rose v. Lundy, 455 U.S. 509 (1982); United States ex. rel. Trantino v. Hatrack, 563 F.2d 86 (3d Cir. 1977); Zicarelli v. Gray, 543 F.2d 466 (3d Cir. 1976), with respect to each claim raised by

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1. If Respondents are certain that AEDPA's Statute of Limitations does not apply, they need not address this issue. However, failure to address this issue may result in waiver of this defense.

2. Article Number



7160 3901 9842 6648 5324

3. Service Type **CERTIFIED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

CRAWFORD COUNTY DISTRICT ATTORNEY  
CRAWFORD COUNTY COURTHOUSE  
HEADVILLE, PA. 16335

5-92E,O/P,7/14/05,SRB

PS Form 3811, January 2003

Domestic Return Receipt

2. Article Number



7160 3901 9842 6648 5300

3. Service Type **CERTIFIED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

MARILYN BROOKS, WARDEN  
SCI ALBION  
10745 ROUTE 18  
ALBION, PA. 16475-0001

5-92E,O/P,8/14/05,SRB

PS Form 3811, January 2003

Domestic Return Receipt

2. Article Number



7160 3901 9842 6648 5317

3. Service Type **CERTIFIED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

564 FORBES AVENUE  
6TH FLOOR MANORBLDG  
PITTSBURGH, PA. 15219

5-92E,O/P,7/14/05,SRB

PS Form 3811, January 2003

Domestic Return Receipt

A. Received by (Please Print Clearly)

B. Date of Delivery

Nancy Leitner

7/18

C. Signature

Nancy Leitner

☒ Agent☐ AddresseeD. Is delivery address different from item 1?  
If YES, enter delivery address below:☐ Yes☐ No

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

M. Hilinski

B. Date of Delivery

7-18-05

C. Signature

M. Hilinski

☒ Agent☐ AddresseeD. Is delivery address different from item 1?  
If YES, enter delivery address below:☐ Yes☒ No

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Patricia Cleaver

B. Date of Delivery

7/18/05

C. Signature

Patricia Cleaver

☐ Agent☐ AddresseeD. Is delivery address different from item 1?  
If YES, enter delivery address below:☐ Yes☐ No